

Applicant or Patentee: C. Ross TUROFF  
Serial or Patent No.: 08/917,963  
Filed or Issued: August 7, 1997  
For: FLUID-OPERATED POWER TOOL

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 cfr 1.9 (f) AND 1.27 (c)- SMALL BUSINESS CONCERN

I hereby declare that I am  
☐ the owner of the small business concern identified below  
☐ an official of the small business concern empowered to act on behalf of the concern identified below

NAME OF CONCERN torc-Up, Inc.  
ADDRESS OF CONCERN 1500 Uhler Road, Easton PA 18040, USA

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled FLUID-OPERATED POWER TOOL described in

☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_

\_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(c).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information an belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING \_\_\_\_\_  
TITLE OF PERSON OTHER THAN OWNER \_\_\_\_\_  
ADDRESS OF PERSON SIGNING \_\_\_\_\_

SIGNATURE C. Ross Turoff DATE 7/4/97

COMBINED DECLARATION AND POWER  
OF ATTORNEY

ATTORNEY DOCKET NO.

3848-2

As a below-named inventor, I hereby declare that:

C. Ross TUROFF

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention.

FLUID OPERATED POWER TOOL

the specification of which:

(Check one) ☒ is attached hereto.

☒ was filed on August 7, 1997 as

Application Serial No. 08/910,963 and

was amended on \_\_\_\_\_  
(if applicable)

was amended through \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section § 119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

Priority Number	Country	Date filed (Priority Date)	Yes	No
Priority Number	Country	Date filed (Priority Date)	Yes	No
Priority Number	Country	Date filed (Priority Date)	Yes	No

01/26/98  
JCS44 U.S. PTO

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 35, Code of Federal Regulations, Section 1.56(a), which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status - Patented, pending, abandoned)
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_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status - Patented, pending, abandoned)
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_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status - Patented, pending, abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that those statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned hereby authorizes **Robert R. Brunelli** and the firm of **Sheridan Ross**, to accept and follow instructions from:

**torc-Up, Inc.**

as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between Michael J. Striker, the firm of Striker, Striker & Stenby, and the undersigned. In the event of a change in the persons from whom instructions may be taken, Michael J. Striker and the firm of Striker, Striker & Stenby will be so notified by the undersigned.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

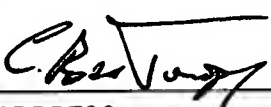
POWER OF ATTORNEY: Robert R. Brunelli, Registration No. 39,617

Address all telephone calls to: Robert R. Brunelli

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U.S.A.

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FULL NAME OF SOLE OR FIRST INVENTOR:  <u>C. Ross TUROFF</u>	INVENTOR'S SIGNATURE:  	DATE:  <u>9/4/97</u>
RESIDENCE AND FULL POSTAL ADDRESS: <u>73 Troutbrook Road</u> <u>Monroe, NY 10950 NY</u> <u>USA</u>		CITIZENSHIP:  U.S.